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REBELLION.

BY HENRY W. NEVINSON.

FOR certain crimes mankind has ordained penalties of exceptional severity, in order to emphasize a general abhorrence. In Rome, for example, a parricide, or the murderer of any near relation, was thrown into deep water, tied up in a sack together with a dog, a cock, a viper, and a monkey, which were probably symbols of his wickedness, and must have given him a lively time before death supervened. Similarly, the English law, always so careful of domestic sanctitude in women, provided that a wife who killed her husband should be dragged by a horse to the place of execution and burnt alive. We need not recall the penalties considered most suitable for the crime of religious differences—the rack, the fire, the boiling oil, the tearing pincers, the embrace of the spiky Virgin, the sharpened edge of stone on which the doubter sat, with increasing weights tied to his feet, until his opinions upon the heavenly mysteries should improve under the stress of pain. When we come to rebellion, the ordinance of English law was more express. In the case of a woman, the penalty was the same as for killing her husband—that crime being defined as “petty treason,” since the husband is to her the sacred emblem of God and King. So a woman rebel was burnt alive as she stood, head, quarters and all. But male rebels were specially treated, as may be seen from the sentence passed upon them till the reign of George III. These were the words that Judge Jeffreys and Scroggs, for instance, used to roll out with enjoyable eloquence upon the dazed agricultural laborer before them :

“The sentence of the Court now is that you be conveyed from hence to the place from where you came, and from there be drawn to the place of execution upon hurdles; that you be hanged by the neck; that

you be cut down alive; that your bowels be taken out and burnt in your view; that your head be severed from your body; that your body be divided into four quarters, and your quarters be at the disposition of the King: and may the God of infinite mercy be merciful to your soul. Amen."

"Why all this cookery?" once asked a Scottish rebel, quoted by Swift. But the sentence, with its confiding appeal to a higher Court than England's, was literally carried out upon rebels in this country for at least four and a half centuries. Every detail of it (and one still more disgusting) is recorded in the execution of Sir William Wallace, the national hero of Scotland, more generally known to the English of the time as "the man of Belial," who was executed at Tyburn in 1305.* The rebels of 1845 were, apparently, the last upon whom the full ritual was performed, and Elizabeth Gaunt, burnt alive at Tyburn in 1685 for sheltering a conspirator in the Rye House Plot, was the last woman up to now put to death in this country for a purely political offence. The long continuance of so savage a sentence is proof of the abhorrence in which the crime of rebellion has been held. And in many minds the abhorrence still subsists. Sir James Fitzjames Stephen, for instance, one of our greatest authorities on criminal law, wrote in 1880:

"My opinion is that we have gone too far in laying capital punishment aside, and that it ought to be inflicted in many cases not at present capital. I think, for instance, that political offences should in some cases be punished with death. People should be made to understand that to attack the existing state of society is equivalent to risking their own lives."†

Among ourselves the opinion of this high authority has slowly declined. No one supposed that Colonel Lynch, for instance, would be executed as a rebel for commanding the Irish Brigade that fought for the Boers during the South African War, though he was condemned to death by the highest Court in the Kingdom. No Irish rebel has been executed for about a century, unless his offence involved some one's death. On the other hand, during the Boer War, the devastation of the country and the destruction of the farms were frequently defended on the ground that, after the Queen's proclamations annexing the two

* See "The History of Tyburn," by Alfred Marks.

† "History of the Criminal Law of England," Vol. I, p. 478.

Republics, all the inhabitants were rebels; and some of the extreme newspapers even urged that for that reason no Boer with arms in his hands should be given quarter. On the strength of a passage in Scripture, Mr. Kipling, at the time, wrote a pamphlet identifying rebellion with witchcraft. A few Cape Boers who took up arms for the assistance of their race were shot without benefit of prisoners of war. And in India within the last three years many men of unblemished private character have been spirited away to jail without charge or trial and kept there for months—a fate that could not have befallen any but political prisoners.

Outside our own Empire, I have myself witnessed the suppression of rebellions in Crete and Macedonia by the destruction of villages, the massacre of men, women and children, and the violation of women and girls, many of whom disappeared into Turkish harems. And I have witnessed similar suppressions of rebellion by Russia in Moscow, in the Baltic Provinces, and the Caucasus, by the burning of villages, the slaughter of prisoners, and the violation of women. All this has happened within the last thirteen years, the worst part within six and a half. Indeed, in Russia the punishments of exile, torture and hanging have not ceased since 1905, though the death penalty has been long abolished there except for political offences. Last summer I was also present during the suppression of the outbreak in Barcelona, which culminated in the execution of Señor Ferrer under a military Court.

From these recent events it is evident that Sir James Stephen's attitude towards rebellion is shared by many civilized governments. Belligerents—that is to say, subjects of one State engaged in war with another State—have now nominally secured certain rights under International Law. The first Hague Conference (1899) framed a "Convention with respect to the Laws and Customs of Wars on Land," which forbade the torture or cruel treatment of prisoners, the refusal of quarter, the destruction of private property, unless such destruction were imperatively demanded by the necessities of war, the pillage of towns taken by assault, disrespect to religion and family honor (including, I suppose, the honor of women and girls), and the infliction of penalties on the population owing to the acts of individuals for which it could not be regarded as collectively responsible.

In actual war this Convention may not be invariably observed, but in the case of rebellion there is no such Convention at all. I have known all those regulations broken with impunity, and in most cases without protest from the other Powers. Just as, under the old law of England, the rebel was executed with circumstances of special atrocity, so at the present time, under the name of crushing rebellion, men are tortured and flogged, no quarter is given, they are executed without trial, their private property is pillaged, their towns and villages are destroyed, their women violated, their children killed, penalties are imposed on districts owing to acts for which the population is not collectively responsible—and nothing said. That each Power is allowed to deal with its own subjects in its own way is becoming an accepted rule of international amenity. It was not the rule of Cromwell, nor of Canning, nor of Gladstone, but it has now been consecrated by Sir Edward Grey.

Last summer, it is true, the rule was broken. The present Sultan of Morocco was reported to be torturing his rebel prisoners according to ancestral custom, and rumors came that he had followed a French King's example in keeping the rebel leader, El Roghi, in a cage like a tame eagle, or had thrown him to the lions to be torn in pieces before the eyes of the royal concubines. Then the European Powers combined to protest in the name of humanity. It was something gained. But no great courage is required to rebuke the Sultan of Morocco, if England, France, Germany, Russia, Italy and Spain combine to do it; and his country is so desirable for its minerals, barley, and dates that a little courage in dealing with him may prove lucrative in the end. When Russia treated her rebellious subjects with tortures and executions more horrible than anything reported from Morocco, the case was very different. Then alliances and understandings were confirmed, substantial loans were arranged, Kings and Emperors visited the Tsar and the cannon of our fleet welcomed him to our waters amid the applause of our newspapers and the congratulations of a Liberal Government.

It is evident, then, that, in Sir James Stephen's words, subjects are in most countries still made to understand that to attack the existing state of society is equivalent to risking their own lives. Under our own rule, no matter what statesmen, like Gladstone and Lord Morley, have urged in favor of the mitigation of penal-

ties for political offences, such offences are, as a matter of fact, punished with special severity; unless, of course, the culprit is intimately connected with great riches, like Dr. Jameson, who was imprisoned as a first-class misdemeanant for the incalculable crime of making private war upon another State; or unless the culprit is intimately connected with votes, like Mr. Ginnell, the Irish cattle-driver, who was treated with similar politeness. Otherwise, until quite lately, even in this country we executed a political criminal with unusual pain. In India we recently kept political suspects imprisoned without charge or trial. And in Manchester and Liverpool we lately sentenced three women to six weeks or two months' hard labor apiece for having broken some panes of glass valued at a few pence while they were imprisoned for political offences four months earlier—a sentence that certainly would never have been imposed on any but a political offender.

This exceptional severity springs from a primitive and natural conception of the State—a conception most logically expressed by Hobbes of Malmesbury under the similitude of a “mortal God” or Leviathan, the almost omnipotent and unlimited source of authority.

“The Covenant of the State [says Hobbes] is made in such a manner as if every man should say to every man: ‘I authorize and give up my right of governing myself to this man, or to this assembly of men, on this condition that thou give up thy right to him and authorize all his actions in like manner.’ This done, the multitude so united is called a Commonwealth, in Latin Civitas. This is the generation of that great Leviathan, that mortal God, to whom we owe, under the immortal God, our peace and defence.”

Hobbes considered the object of this Covenant to be peace and common defence. “Without a State,” he said, “the life of man is solitary, poor, nasty, brutish and short.” The preservation of the State was to him of transcendent importance.

“Loss of liberty is really no inconvenience, for it is the only means by which we have any possibility of preserving ourselves. For if every man were allowed the liberty of following his own conscience, in such differences of consciences, they would not live together in peace an hour.”

Under such a system, it follows that rebellion is the worst of crimes. Hobbes calls it a war renewed—a renouncing of the

Covenant. He was so terrified of it that he dwelt upon the danger of reading Greek and Roman history (probably having Plutarch and his praise of rebels most in mind)—“which venom,” he says, “I will not doubt to compare to the biting of a mad dog.” In all leaders of rebellion he found only three conditions—to be discontented with their own lot, to be eloquent speakers, and to be men of mean judgment and capacity (“*De Corpore Politico*” II). And as to punishment:

“On rebels [he said] vengeance is lawfully extended, not only to the fathers, but also to the third and fourth generations not yet in being, and consequently innocent of the fact for which they are afflicted.”

We may take Hobbes as the philosopher of the extreme idea of the State and the consequent iniquity of rebellion. His is the ideal of the Hive, in which the virgin workers devote their whole lives without complaint to the service of the Queen and her State-supported grubs, while the drones are mercilessly slaughtered as soon as one of them has fulfilled his rapturous but suicidal function for the future swarm. The ideal found its highest human example in the Spartan State, which trained its men to have no private existences at all, and even to visit their own wives by stealth. But we find the ideal present in some degree among Central Africans when they bury valuable slaves and women alive with their chief; and among the Japanese when mothers kill themselves if their sons are prevented from dying for their country; and among the Germans when the drill-sergeant shouts his word of command.

In fact, all races and countries are disciples of Hobbes when they address the Head of the State as “Your Majesty” or “Your Excellence,” when they decorate him with fur and feathers, and put a gold hat on his head and a gold walking-stick in his hand, and gird him with a sword that he never uses, and play him the same tune wherever he goes, and spread his platform with crimson though it is clean, and bow before him though he is dishonorable, and call him gracious though he is nasty-tempered, and august though he is a fool. In the first instance, we go through all this make-believe because the Leviathan of the State is necessary for peace and self-defence, and without it our life would be solitary, poor, nasty, brutish and short. But we further endow the State with a personality we can almost see and handle, and

we regard it as something that can not only protect our peace but shed a reflected splendor on ourselves, giving us an importance not our own—just as schoolboys glory in their school, or Churchmen in their Church, or cricketers in their county, or fox-hunters in their pack of hounds.

It is this conception that makes rebellion so rare and so dangerous. In hives it seems never to occur. In rookeries, the rebels are pecked to death and their homes torn in pieces. In human communities we have seen how they are treated. Rebellion is the one crime for which there is no forgiveness—the one crime for which hanging is too good.

Why is it, then, that all the world loves a rebel? Provided he is distant enough in time and space, all the world loves a rebel. Who are the figures in history round whom the people's imagination has woven the fondest dreams? Are they not such rebels as Deborah and Judith* and Joan of Arc; as Harmodius and Aristogiton, the Gracchi and Brutus, William Tell, William Wallace, Simon de Montfort, Rienzi, Wat Tyler, Jack Cade, Shan O'Neill, William the Silent, John Hampden and Pym, the Highlanders of the Forty-five, Robert Emmet and Wolf Tone and Parnell, Bolivar, John Brown of Harper's Ferry, Kossuth, Mazzini and Garibaldi, Danton, Victor Hugo, and the Russian revolutionists? These are haphazard figures of various magnitude, but all have the quality of rebellion in common, and all have been honored with affectionate glory, romance and even a mythology of worship.

So, too, the most attractive periods in history have been times of rebellion—the Reformation in Germany, the Revolt of the Netherlands from Spain, the Civil Wars in England, the War of Independence in America, the prolonged revolution in Russia. Within the last hundred years alone, how numerous the rebellions have been, as a rule how successful, and in every case how much applauded, except by the dominant authority attacked! We need only recall the French revolutions of 1832, 1848, and 1870 to 1871, including the Commune; the Greek War of Independence up to 1829, the Polish insurrections of 1830, 1863 and 1905; the liberation of the Danubian Principalities, 1858; of Bulgaria and Thessaly, 1878; of Crete, 1898; the revolution in Hungary,

* Judith was not strictly a rebel, except that Nabuchodonosor claimed sovereignty over all the world and was avenging himself on all the earth. See Judith II, 1

1848; the restoration of Italy, 1849 to 1860; the revolution in Spain, 1868; the independence of the South-American States, 1821 to 1825; the revolution in Russia, Finland, the Caucasus and Baltic Provinces, 1905; the revolution in Persia, 1907 to 1909; and the revolution of the Young Turks, 1908 to 1909. Among these we must also count the Nationalist movements in Ireland, Egypt and India, as well as the present movement of women against the Government in our own country.

Under these various instances two distinct kinds of rebellion are obviously included—the rising of subject nationalities against a dominant Power, as in Greece, Italy, the Caucasus, India and Ireland; and the rising of subjects against their own Government, as in France, Russia, Persia and Turkey, or in England in the case of the Suffragettes. It is difficult to say which kind is the more detested and punished with the greater severity by the central authority attacked. Was the Nationalist rising in the Caucasus or the Baltic Provinces suppressed with greater brutality than the almost simultaneous rising of Russian subjects in Moscow? I witnessed all three, and I think it was, chiefly because soldiers have less scruple in the slaughter and violation of people whose language they do not understand. Did our Government feel greater animosity towards the recent Indian movement or the Irish movement of thirty years ago than towards the rioters for the Reform Bills of 1832 and 1867? I think they did. Vengeance upon external or Nationalist rebels is incited by racial antipathy. But, on the other hand, the outside world is more ready to applaud a Nationalist rebellion, especially if it succeeds, and we feel a more romantic affection for William Tell or Garibaldi than for Oliver Cromwell or Danton; I suppose because it is easier to imagine the splendor of liberty when a subject race throws off a foreign yoke.

So the history of rebellion involves us in a mesh of contradictions. Rebels have been generally regarded as deserving more terrible penalties than other criminals, yet all the world loves a rebel, at a distance. Nationalist rebellions are crushed with even greater ferocity than the internal rebellions of a State, and yet the leaders of Nationalist rebellions are regarded by the common world with a special affection of hero-worship. Obviously, we are here confronted with two different standards of conduct. On one side is the standard of Government, the State

and Law, which denounces the rebel, and especially the Nationalist rebel, as the worst of sinners; on the other side we have the standard of the individual, the soul and liberty, which loves a rebel, especially a Nationalist rebel, and denies that he is a sinner at all.

Let us leave the Nationalist rebel, whose justification is now almost universally admitted, except by the dominant Power, even if he is unsuccessful, and consider only the rebel inside the State—the rebel against his own Leviathan—whose position is far more dubious. Job's Leviathan appears to have been a more fearsome and powerful beast than the elephant, but in India the elephant is taken as the symbol of wisdom, and when an Indian boy goes in for a municipal examination, he prays to the elephant-god for assistance. Now the ideal State of the elephant is the herd, and yet this herd of wisdom sometimes develops a rebel or "rogue" who seems to be striving after some fresh manner of existence and works terrible havoc among the elephantine conventions. Usually the herd combines to kill him and there is an end of the matter. Yet I sometimes think that the occasional and inexplicable appearance of the "rogue" at intervals during many thousand years may really have been the origin of that wisdom to which the Indians pray.

Similarly, mankind, which sometimes surpasses even the elephant in wisdom, has been continually torn between the Idol of the Herd and the profanity of the rebel or Rogue, and it is perhaps through the rebel—the variation, as Darwin would call him—that man makes his advance. The rebel is what distinguishes our States and cities from the beehives and ant heaps to which they are commonly compared. The progress of ants and bees appears to have been arrested. They seem to have developed a completely socialized polity thousands of years ago, perhaps before man existed, and then to have stopped—stopped dead, as we say. But mankind has never stopped. If a country's progress is arrested—if a people becomes simply conservative in habits, they may die slowly, like Egypt, or quickly, like Sparta, but they die and disappear, unless inspired by new life, like Japan, or by revolution, like France and possibly Russia. For, as we are almost too frequently told, change is the law of human life.

And may not this be just the very reason we are seeking for—

the very reason why all the world loves a rebel, at a distance? Does not the world unconsciously recognize in him a symbol of change, a symbol of the law of life? We may not like him very near us—not uncomfortably near, as we say. For most change is uncomfortable. When I was shut up for many weeks in a London hospital, I felt a shrinking horror of going out, as though my skin had become too tender for this rough world. After I had been shut up for four months in a siege, daily exposed to shells, bullets, fever and starvation, I felt no relief when the relief came, but rather a dread of confronting the perils of ordinary life. So quickly does the curse of stagnation fall upon us. And in support of stagnation are always ranged the immense forces of Society, the prosperous, the well-to-do, the people who are content if to-morrow is exactly like to-day. In support of stagnation stands the power of every kind of government—the King who sticks to his pretty clothes, the Lords who stick to their lands and titles, the experts who stick to their theories, the officials who stick to their incomes and leisure, the Members of Parliament who stick to their seats.

But even more powerful than all these forces in support of stagnation is the enormous host of those whose first thought is necessarily their daily bread—men and women who dare not risk a change for fear of to-morrow's hunger—people for whom the crust is too uncertain for its certainty to be questioned. We often ask why it is that the poor—the working-people—endure their poverty and perpetual toil without overwhelming revolt. The reason is that they have their eyes fixed on the evening meal, and for the life of them they dare not lose sight of it.

So the rebel need never be afraid of going too fast. The violence of inertia—the suction of the stagnant bog is almost invincible. Like the horse, we are creatures of cast-iron habit. We abandon ourselves easily to careless acquiescence. We make much of external laws, and, like a mother bemused with torpid beer, we stifle the law of the soul because its crying is such a nuisance. Like a new baby, a new thought is fractious, restless, and incalculable. It saps our strength; it gives us no peace; it exposes a wider surface to pain. There is something indecent, uncontrolled and unconscionable about it. Our friends like it best when it is asleep, and they like us better when it is buried.

There is very little danger of rebellion going too far. The

barriers confronting it are too solid, and the Idol of the Herd is carefully enshrined. A perpetual rebellion of every one against everything would give us an insecure, though exciting, existence, and we are protected by man's disposition to obedience and his solid love of custom. Against the first vedettes of rebellion the army of routine will always muster, and it gathers to itself the indifferent, the startled cowards, the thinkers whose thought is finished, the lawyers whose laws are fixed—an innumerable host. They proceed to treat the rebels as we have seen. In all ages, rebellion has been met by the standing armies of permanence. If captured, it is put to the ordeal of fire and water, so as to try what stuff it is made of. Faith is rebellion's only inspiration and support, and a deal of faith is needed to resist the battle and the test. It was in thinking of the faith of rebels that an early Christian writer described how those who have walked by faith have in all ages been tortured, not accepting deliverance; and others have had trial of mockings and scourgings, and of bonds and imprisonment; they were stoned, they were sawn asunder, were tempted, were slain with the sword; they wandered about in sheepskins and goatskins; being destitute, afflicted, tormented; (of whom the world was not worthy) they wandered in deserts and in mountains, and in dens and caves of the earth.* That is the test and the reward of faith. So strong is the grip of the Leviathan, so determined is mankind to allow no change in thought or life to survive if he can possibly choke it.

One of the most learned and inspiring of writers on political philosophy has said in his latest book:

"It is advantageous to the organism [of the State] that the rights of suggestion, protest, veto and revolt should be accorded to its members."†

That sounds very simple. We should all like to agree with it. But under that apparently innocent sentence one of the most perplexing of human problems lies hidden: what are the rights of liberty, what are the limits of revolt? Only in a State of ideal anarchy can liberty be complete and revolt universal, because there would be nothing to revolt against. And anarchy, though it is the goal of every man's desire, seems still far away, being, indeed, the Kingdom of Heaven, which the God rules whose service is

* Hebrews, XI, 35-38.

† "The Crisis of Liberalism," by J. A. Hobson, p. 82.

perfect freedom and which only angels are qualified to inhabit. For though the law of the indwelling spirit is the only law that ought to count, not many of us are so little lower than the angels as to be a law unto ourselves.

In a really democratic State, where the whole people had equal voices in the government and all could exercise free power of persuasion, active rebellion, I think, would be very rare and seldom justified. But there are, I believe, only four democratic States in the world. All four are small, and of those Finland is overshadowed by despotism, and Australia and New Zealand have their foreign relations controlled and protected by the mother country. Hitherto the experiment of democracy has never been tried on this planet, except for the last year in Norway, and even there with some limitations; and though democracy might possibly avert the necessity of rebellion, I rather doubt whether it can be called advantageous to any State to accord to its members the right of revolt. The State that allows revolt—that takes no notice of it—has abdicated; it has ceased to exist. But whether advantageous or not, no State has ever accorded that right in matters of government, nor does mankind accord it, without a prolonged struggle, even in religious doctrine and ordinary life. Every revolt is tested as by fire, and we do not otherwise know the temper of the rebels or the value of their purpose. Is it a trick? Is it a fad? Is it a plot for contemptible ends? Is it a riot—a moment's effervescence—or a revolution glowing from volcanic depths? We only know by the tests of ridicule, suffering and death. In his Ode to France, written in 1797, Coleridge exclaimed:

“The Sensual and the Dark rebel in vain,
Slaves by their own compulsion.”

They rebel in vain because the Sensual and the Dark cannot hold out long against the pressure of the Herd—against the taunts of Society, against poverty, the loss of friends, the ruin of careers, the discomforts of prison, the misery of hunger and ill-treatment, and the terror of death. It is only by the supreme triumph over such obstacles that revolt vindicates its righteousness.

And so, if any one among us is driven to rebellion by an irresistible necessity of soul, I would not have him wonder at the treatment he will certainly receive. Such treatment is the

hideous but inevitable test of his rebellion's value, for so persecuted they the rebels that were before him. Whether he rebels against a despotism like the Naples of fifty years ago or the Russia of to-day; or whether he rebels against the opinions or customs of his fellow citizens, he will inevitably suffer, and the success that justifies rebellion may not be of this world. But if his cause is high, the shame of his suffering rests invariably on the Government or on the majority, never on himself. There is a sense in which rebellion never fails. It is almost always a symptom of intolerable wrong, for the penalties are so terrible that it would not be attempted without terrible provocation. It concentrates attention upon the wrong. At the worst, though it be stamped into a grave, its spirit goes marching on, and the inspiration of all history would be lost were it not for rebellions, no matter whether they have succeeded or failed. It may be said that if the State cannot accord the right of revolt, the door is left open to all the violence, cruelty and injustice with which rebellion is at present suppressed. But that does not follow. The Liberal leaders of the last generation endeavored to draw a distinction whereby political offenders should be treated better than ordinary criminals rather than worse, and, though their successors went back from that position, we might perhaps discern a certain uneasiness behind their appearance of cruelty, at all events in the case of titled offenders. In war we have lately introduced definite rules for the exclusion of cruelty and injustice, and in some cases the rules are observed. The same thing could be done in rebellion. I have often urged that the rights of war, now guaranteed to belligerents, should be extended to rebels. The chances are that a rebellion or civil war has more right on its side than international war, and there is no more reason why a man should be tortured and refused quarter, or why a woman should be violated and have her children killed before her eyes by the agents of their own Government than by strangers. Yet these things are habitually done, and my simple proposal appears ludicrously impossible. Just in the same way, fifty years ago, it was thought ludicrously impossible to deprive a man of his right to whip his slave.

But in any case, whether or not the rebel is to remain for all time an object of special vengeance to the State and Society, he has compensations. If he wins, the more barbarous his suppres-

sion has been, so much the finer is his triumph, so much the sweeter the wild justice of his revenge. It is a high reward when the slow world comes swinging round to your despised and persecuted cause, while the defeated persecutor whines at your feet that at heart he was with you all the time. If the rebel fails—well, it is a terrible thing to fail in rebellion. Bodily or social execution is almost inevitably the result. But, if his cause has been high, whether he wins or loses, he will have enjoyed a comradeship such as is nowhere else to be found—a comradeship in a common service that transfigures daily life and takes suffering and disgrace for honor. His spirit will have been illumined by a hope and an indignation that make the usual aims and satisfactions of the world appear trivial and fond. To him it has been granted to hand on the torch of that impassioned movement and change by which the soul of man appears slowly to work out its transfiguration. And if he dies in the race, he may still hope that some glimmer of freedom will shine where he is buried.

HENRY W. NEVINSON.